

REMARKS

General

The present is in response to the Office Action dated February 17, 2006, where the Examiner has rejected Claims 1, 2, 5-7, 10, 12 and 13 and objected to Claims 8, 9 and 11. Accordingly, Claims 1-14 are pending in the present application. Reconsideration and allowance of pending Claims 8, 9, 11 and 14 in view of the following remarks are respectfully requested.

Status of the Claims

Claims 1, 2, 5-7, 10, 12 and 13 are rejected by the Examiner.

Claims 8, 9 and 11 are objected to by the Examiner.

By this amendment:

Claims 1, 2, 5-7, 10, 12 and 13 have been canceled.

Claims 3 and 4 have been withdrawn.

Claims 8 and 11 are currently amended. Applicants contend that no new matter has been added and full support for amended Claims 8 and 11 may be found in the specification.

Response to Election/Restrictions

The Examiner has required Applicant to elect a single disclosed species. Applicant elects the species one, i.e., "A fastener means comprising a tether (claim 2)." Thus, Applicant withdraws Claims 3 and 4 without prejudice.

Response to rejection of Claim 13 under 35 U.S.C. §102(b)

The Examiner has rejected Claim 13 under 35 U.S.C. §102(b) as being anticipated by **Arnold** (USPN 4,040,135) (referred to hereinafter as "**R1**"). Applicant has canceled Claim 13.

Response to rejection of Claims 1-26 under 35 U.S.C. §103(a)

The Examiner has rejected Claims 1, 2, 5-7, 10 and 12 under 35 U.S.C. §103(a) as being unpatentable over **R1** in view of **Woodall et al.** (6,850,152 B1) (referred to hereinafter as "**R2**"). Applicant has canceled Claims 1, 2, 5-7, 10 and 12.

Response to objection of Claims 8, 9 and 11

The Examiner has objected to Claims 8, 9 and 11 as "being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." Applicant has rewritten Claims 8 and 11 to incorporate all the limitations of the base claim and any intervening claims. Currently amended independent Claim 8 is patentably distinguishable over **R1 and R2** or any combination thereof and, as such, claims depending from independent Claim 8 are, *a fortiori*, also patentably distinguishable over **R1 and R2** or any combination thereof. Thus, Claim 9, which depends from Claim 8 is patentably distinguishable over **R1 and R2** or any combination thereof. Accordingly, Applicant respectfully submits that the objection to Claims 8, 9 and 11 have been traversed, and should now be allowed.

Conclusion

Applicant respectfully requests withdrawal of the objection to Claims 8, 9 and 11.

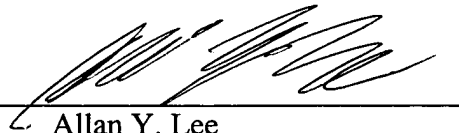
Accordingly, Applicant respectfully submits that Claims 8-9, 11 and 14 are now in condition for allowance.

No Additional Fees for this response are necessary.

Respectfully submitted,

SPAWAR SYSTEMS CENTER SAN DIEGO
OFFICE OF PATENT COUNSEL 20012

By

A handwritten signature in black ink, appearing to read "Allan Y. Lee", is written over a horizontal line.

Allan Y. Lee
Registration No. 43,744
(619) 553-3818